



1943.

File No. n. Explosives/43

Legal Department

A BRANCH

Subject:—

Opinions under the

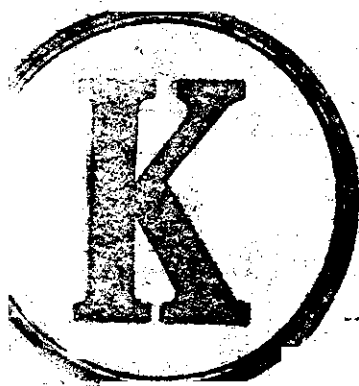
Indian Explosives Act, 1884

P.3
E

File No. n. Explosives/43

Gen. 1943

9" A



1943.

File No. O. Explosives/43

Legal Department.

A BRANCH

Subject:—

Opinions under the

Indian Explosives Act, 1884

P.3
E

File No. O. Explosives 142

Jan. 1943

97

A

C O N T E N T S.

Legal Department File No. O. Explosives/43.

Sr.No.	R.I./O.No.	Subject	Pages.
--------	------------	---------	--------

Opinions under the Indian Explosives Act, 1884.

[p.1 not typed]

- | | | | |
|---|-------------------|---|--|
| 1 | C.No.463/19/1/43. | Re: Sanction of Govt. under sec.7 of the Act for the prosecution for and offence under secs. 3 and 4 of the Explosive substances Act, 1908. | |
|---|-------------------|---|--|

3-6

102
12/7
K.S.R.
12/17

Submitted.

2. The D.M., Belgaum, reports that two students named Shankar Laxman Dhange and Annasahheb Thorappa Chougule, residing in a room in House No.3329 in Gondhaligalli, Belgaum had kept in a cupboard packets containing powder and some black liquid which were likely to explode. On the evening of 13th Nov. 1942. the said two substances kept in the cupboard exploded as a result of which the frame of the cupboard was broken, and a chair and a time-piece were damaged, and a part of the building itself was damaged. The accused are proposed to be prosecuted for an offence under secs.3 and 4 of the Explosive Substances Act, 1908 and the D.M. Belgaum, has now approached Govt. for the sanction of Govt. under sec. 7 of the Act.

3. The H.D.(spl.) considers that from the facts stated by the D.M.,Belgaum, it is difficult to say that the two accused had any intention of causing the explosion which occurred or they were even aware that it was likely to occur, and feels doubtful if they can be prosecuted under sec.3 of the Explosive Substances Act, 1908. That Deptt. also feels doubtful whether all the ingredients necessary for a prosecution under sec.4 are present in the case. It, however considers that there exists a prima facie case against the accused under secs. 5 and 6 of the Act. The R.L.A. is requested to advise whether the view expressed in the note of H.D.(Spl.) dated 15-1-43 is correct.

Office of the R.L.A.

On the facts stated in the District Magistrates letter the view taken in the note dated 15-1-1943 of H.D. (Spl.) is correct. It however seems desirable to call for a fuller report before sanctioning the prosecution.

Id/-

P.N.M.

Remembrancer of Legal Affairs.

U.R. to H.D. (Spl.), No. 463,

dated the 15th January

1943.

R.D.P.

11/7/56

B.C.